

No. PD-____-20
In the Court of Criminal Appeals of Texas
At Austin

FILED
COURT OF CRIMINAL APPEALS
11/17/2020
DEANA WILLIAMSON, CLERK

—◆—
No. 01-19-00100-CR
In the Court of Appeals
For the First District of Texas
At Houston

—◆—
No. 1620108
In the 209th District Court
Of Harris County, Texas

—◆—
Ex parte Maurice Edwards
Appellant

—◆—
**State's Motion for Extension of Time
To File Petition for Discretionary Review**
—◆—

The State's petition for discretionary review is due on November 30, 2020. The State asks for a 30-day extension of time to file the petition. The following facts are relevant:

1. The appellant was indicted for aggravated sexual assault. (Def.'s Ex. 2). The appellant filed a pretrial application for a writ of habeas corpus, alleging the prosecution was barred by the statute of limitations. (CR 4-5). The trial court issued the

writ but, after a hearing, denied relief. (CR 10, 11). The appellant filed a notice of appeal and the trial court certified his right of appeal. (CR 13, 16).

2. On original submission, a panel of the First Court issued a published opinion that reversed the trial court. The State filed a timely motion for *en banc* reconsideration pointing out the panel had not addressed the State's preservation argument.
3. After receiving a response from the appellant, the same panel withdrew its prior opinion and issued a published opinion in which it rejected the State's preservation argument, and reversed the trial court on the same basis as the original opinion. *Ex parte Edwards*, ___ S.W.3d ___, No. 01-19-00100-CR, 2020 WL 4457985 (Tex. App.—Houston [1st Dist.] August 4, 2020, no pet. h.).
4. The State filed another motion for rehearing, which was denied without opinion on October 27, 2020.
5. This is the State's first request for extension.
6. Since October 27, the State's appellate counsel has worked on several cases:

- a. Roberto Pacas
Nos. 01-18-01016-CR *et seq.*
Response to motion for en banc reconsideration as “ordered” by the court filed October 27, 2020
- b. *Ex parte* Joseph Gomez
Nos. PD-0724-20 and PD-0725-20
Reply to appellant’s brief filed October 31, 2020
- c. Benson Dorsey
Nos. PD-0901-20 *et seq*
Reply to PDR filed November 2, 2020
- d. Nathaniel Wiggins
No. 14-20-00076-CR
Brief filed November 6, 2020
- e. Vincent Stredic
No. PD-1035-20
PDR filed November 13, 2020

7. In addition, the undersigned attorney has other time-sensitive cases:

- a. Happy Pham
No. PD-0287-20
Brief due November 20, 2020
- b. James Leleo
Nos. 01-20-00034-CR and 01-20-00035-CR
Brief due, with no further extensions, November 30, 2020
- c. Sandra Melgar
No. PD-0243-20
Brief due December 9, 2020

The State prays that this Court will grant the requested extension.

Respectfully submitted,

/s/ C.A. Morgan
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Date: November 13, 2020

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